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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2144 Session of  
2018

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INTRODUCED BY THOMAS, APRIL 4, 2018

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REFERRED TO COMMITTEE ON COMMERCE, APRIL 4, 2018

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AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, in firearms and other dangerous  
3 articles, further providing for licenses and for sale or  
4 transfer of firearms.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Sections 6109(c) and 6111(b)(1) of Title 18 of  
8 the Pennsylvania Consolidated Statutes are amended to read:  
9 § 6109. Licenses.

10 \* \* \*

11 (c) Form of application and content.--The application for a  
12 license to carry a firearm shall be uniform throughout this  
13 Commonwealth and shall be on a form prescribed by the  
14 Pennsylvania State Police. The form may contain provisions, not  
15 exceeding one page, to assure compliance with this section.  
16 Issuing authorities shall use only the application form  
17 prescribed by the Pennsylvania State Police. One of the  
18 following reasons for obtaining a firearm license shall be set  
19 forth in the application: self-defense, employment, hunting and

1 fishing, target shooting, gun collecting or another proper  
2 reason. The application form shall be dated and signed by the  
3 applicant and shall contain the following statement:

4 I have never been convicted of a crime that prohibits me  
5 from possessing or acquiring a firearm under Federal or  
6 State law. I am of sound mind [and] have never been  
7 committed to a mental institution and have never received  
8 mental health treatment on an inpatient or outpatient  
9 basis. I hereby certify that the statements contained  
10 herein are true and correct to the best of my knowledge  
11 and belief. I understand that, if I knowingly make any  
12 false statements herein, I am subject to penalties  
13 prescribed by law. I authorize the sheriff, or his  
14 designee, or, in the case of first class cities, the  
15 chief or head of the police department, or his designee,  
16 to inspect only those records or documents relevant to  
17 information required for this application. If I am issued  
18 a license and knowingly become ineligible to legally  
19 possess or acquire firearms, I will promptly notify the  
20 sheriff of the county in which I reside or, if I reside  
21 in a city of the first class, the chief of police of that  
22 city.

23 \* \* \*

24 § 6111. Sale or transfer of firearms.

25 \* \* \*

26 (b) Duty of seller.--No licensed importer, licensed  
27 manufacturer or licensed dealer shall sell or deliver any  
28 firearm to another person, other than a licensed importer,  
29 licensed manufacturer, licensed dealer or licensed collector,  
30 until the conditions of subsection (a) have been satisfied and

1 until he has:

2 (1) For purposes of a firearm as defined in section 6102  
3 (relating to definitions), obtained a completed  
4 application/record of sale from the potential buyer or  
5 transferee to be filled out in triplicate, the original copy  
6 to be sent to the Pennsylvania State Police, postmarked via  
7 first class mail, within 14 days of the sale, one copy to be  
8 retained by the licensed importer, licensed manufacturer or  
9 licensed dealer for a period of 20 years and one copy to be  
10 provided to the purchaser or transferee. The form of this  
11 application/record of sale shall be no more than one page in  
12 length and shall be promulgated by the Pennsylvania State  
13 Police and provided by the licensed importer, licensed  
14 manufacturer or licensed dealer. The application/record of  
15 sale shall include the name, address, birthdate, gender,  
16 race, physical description and Social Security number of the  
17 purchaser or transferee, the date of the application and the  
18 caliber, length of barrel, make, model and manufacturer's  
19 number of the firearm to be purchased or transferred. The  
20 application/record of sale shall also contain the following  
21 [question] questions:

22 Are you the actual buyer of the firearm(s), as defined  
23 under 18 Pa.C.S. § 6102 (relating to definitions), listed  
24 on this application/record of sale? Warning: You are not  
25 the actual buyer if you are acquiring the firearm(s) on  
26 behalf of another person, unless you are legitimately  
27 acquiring the firearm as a gift for any of the following  
28 individuals who are legally eligible to own a firearm:

29 (1) spouse;

30 (2) parent;

- 1           (3) child;
- 2           (4) grandparent; or
- 3           (5) grandchild.

4           Have you ever received mental health treatment on an  
5           inpatient or outpatient basis?

6           \* \* \*

7           Section 2. This act shall take effect in 60 days.